

Remarks/Arguments

Reconsideration and allowance of the subject application are respectfully requested. By the present amendment claims 12, 13, 15, 28, 35, 42 and 43 have been amended. Claim 34 has been cancelled without prejudice or disclaimer. Claims 12, 13, 15, 28-33 and 35-43 remain pending in the subject application.

Drawing Objection

In the Office Action, the Examiner raised an objection to the drawings under 37 CFR §1.86(a). In particular, the Examiner asserts that the drawings must show every feature of the invention specified in the claims and that the claimed features “accelerometers coupled to the shaft” and “a hub secured to the shaft” are not shown in the figures.

The MPEP states that “[t]he applicant shall furnish a drawing where necessary for the understanding of the subject matter to be patented” (§608.02). Thus, the Applicant is not required to provide drawings illustrating every claimed feature. Rather, “[w]hen the nature of such subject matter admits of illustration by a drawing the Commissioner may require its submission” (MPEP §608.02).

In the present case, the specification states that the hub corresponds to the shaft 105 of Fig. 1, and is therefore shown integral therewith, but may be mounted thereon (paragraph 32). Figs. 2-3 and 5-7 schematically illustrate the hub. Fig. 1 schematically illustrates the shaft 105 on which the hub is integrally formed with or mounted on. Thus, the specification and current figures make it clear that the hub is secured to the shaft as recited in claims 31 and 38. This construction does not

require a figure to illustrate the subject matter claimed. Therefore, it is respectfully submitted that this objection to the drawing be withdrawn.

Claim 35 has been amended to remove the recitation of the accelerometer being coupled to the shaft. Therefore, it is believed that this objection to the drawings has been overcome.

Specification Objection

The Examiner has raised an objection to the specification alleging that the specification fails to provide proper antecedent basis for the term “processing structure” recited in the claims. The term “processing structure” in the claims has been replaced with the term “computing system”. Since this term appears throughout the specification, it is respectfully submitted that the objection has been overcome.

Claim Rejections under 35 U.S.C §112

Claims 12, 13, 15 and 28-43 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. In particular, the Examiner asserts that the Applicant has not enabled sensing oscillation between the first mass and the shaft/hub or mounting accelerometers on the shaft/hub.

Claims 12, 13 and 15 have been amended to depend on claim 40 such that the oscillations are sensed relative to the sheath, which the Examiner acknowledges is enabled in the specification (Office Action page 4). Claim 28 has been amended to remove the recitation of movement between the shaft and the first mass.

Claim 35 has been amended to remove the recitation of accelerometers coupled to

the shaft. Accordingly, it is believed that the rejection of claims 12, 13, 15 and 28-40 has been overcome.

In all embodiments, a damper is shown that mitigates torsional vibration of a shaft by oscillating the first mass relative to the shaft (or hub that is connected to the shaft). If the shaft vibrates or oscillates, the hub necessarily vibrates or oscillates. The first mass therefore oscillates relative to the shaft/hub. The subject matter recited in claims 41-43 is therefore supported by the specification. Accordingly, it is respectfully submitted that the rejection of claims 41-43 be withdrawn.

Claims 12, 13, 15 and 28-43 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The claims submitted herewith address the Examiner's rejection in this regard. Accordingly, it is respectfully submitted that the rejection be withdrawn.

In view of the foregoing, examination and allowance of this application is respectfully requested. If any points remain at issue and the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 20-0090. Please also credit any overpayments to this Deposit Account.

Respectfully Submitted,

/Richard S. Wesorick/

Richard S. Wesorick
Reg. No. 40,871

TAROLLI, SUNDHEIM, COVELL,
& TUMMINO L.L.P.
1300 East Ninth Street, Suite 1700
Cleveland, Ohio 44114
Phone: (216) 621-2234
Fax: (216) 621-4072
Customer No. 26,294